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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:)	Case No: 2011-43827
)	DC No: FF-1
Vincent Debiasi)	Judge: Hon. Thomas C. Holman
Evangeline Starr -Debiasi)	Date: November 8, 2011
)	Time: 9:32 am
Debtors)	Place: 501 I Street, Sixth floor, Courtroom 32, Sacramento, CA

**MOTION FOR ORDER COMPELLING ABANDONMENT OF THE
ESTATE'S INTEREST IN DEBTORS' BUSINESS AND PHYSICAL ASSETS**

Vincent Debiasi and Evangeline Starr- Bebiasi, the Debtor's herein, hereby moves this Court for an Order Compelling Abandonment of the Estate's interest in the Debtors' Business. This Motion is based on the following facts:

1. As shown in the filed schedules of this case, the Debtor's operate a sole proprietor business, named "Med Tech Services." Said business is located at 372 Florin Road, Suite 144, Sacramento, CA 95831.
2. The Debtors' tools of the trade, equipment, and other business-related assets (hereinafter, "BUSINESS ASSETS") have been disclosed in detail in the filed Schedule B (See Exhibit #1 attached hereto). The business assets in this case consist of the business, Med Tech Services. The Debtor's have placed values on these assets in the aggregate total of \$4975.60.
3. As shown in Schedule C (see Exhibit #1 attached hereto), the Debtor's have claimed exemptions totaling \$4975.60 against the values of the BUSINESS ASSETS.

4. In summary

A.	Gross value of BUSINESS ASSETS	\$4974.60
	Med Tech Services	\$ 1.00
B.	Liens against the BUSINESS ASSETS	<u>-\$ 0.00</u>
C.	Gross Equity	\$ 4975.60
D.	Exemptions claimed on the BUSINESS ASSETS	<u>-\$4975.60</u>

Med Tech Services C.C.P. 703.140 (b)(5)	\$ 1.00
Business Checking Accounts C.C.P. 703.140(b)(5)	\$ 386.81
Office Furnishings and Supplies C.C.P.703.140(b)(5)	\$ 240.00
Open Invoices Owed to Debtors' C.C.P.703.140(b)(5)	\$ 3,319.53
Tools C.C.P. 703.140(b)(6)	\$ 200.00
Inventory, Repair Parts C.C.P. 703.140(b)(5)	\$ 778.26
Equipment C.C.P 703.140(b)(5)	\$ 50.00

E.	Net value of BUSINESS ASSETS to the estate	\$ 0.00
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6. The Debtor's assert that there does not appear to be any business equipment or inventory that can be profitably liquidated by the Trustee over and above (a) the liens, if any, in Schedule D attaching to the business-related assets and (b) the exemptions, if any, in Schedule C claimed by the Debtors'. Even though the assets were exempted under C.C.P. 703.140 (b)(5) there remains an additional \$13,336.88 in unused C.C.P.703.140 (b)(5), as well as the \$2,000.00 in the tools of the trade exemption C.C.P. 703.140 (b)(6).

1 7. The business itself has no net sale value to benefit the bankruptcy estate and was exempted
2 in the amount of \$1.00 which is included in the above stated total of \$4975.60 of BUSINESS
3 ASSETS.

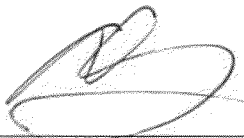
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5 8. The Debtor's are aware that, under the provisions of Title 11, US Codes §721, only the
6 Trustee has the authority to operate the Debtors' business; and then, only with an order of the
7 Court. Otherwise, the Trustee is entitled to shut down the business or abandon the estate's
8 interest in the business.

9 9. However, the Debtor's' assert that, based on the lack of any unexempt equity in any business-
10 related asset, equipment or inventory, there is no benefit to the estate to either operating or
11 shutting down this business.

12 10. Federal Rule of Bankruptcy Proceeding 6007(b) permits a party in interest, including the
13 Debtors', to file a motion seeking to compel the Trustee to abandon property of the estate.

14 Wherefore, the Debtor's' move this Court to issue an Order Compelling the Trustee to Abandon
15 the Estate's Interest in the Debtors' Business.

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17 Dated: 10-10-11



Fraley & Fraley, Attorneys for the Debtor
by Andrew D. Grossman, Esq.